

Notice of Allowability

Application No.

09/613,964

Examiner

Kartic Padmanabhan

Applicant(s)

SCHUBERT, WALTER

Art Unit

1641

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/4/04.
2. ☒ The allowed claim(s) is/are 26-33, now renumbered as 1-8.
3. ☒ The drawings filed on 11 July 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lou Isaf on 10/5/04.

The application has been amended as follows:

- 1) Amend claim 26 as follows:

Claim 26 (Currently amended) A device for delivering a liquid to a target

structure, wherein the device comprises:

- a) an object holder thermostat;
- b) an object holder, wherein said object holder is operably in contact with an ~~said~~ object holder thermostat;
- b) a stretchable sheet disposed between said object holder and at least one rail;
- d) at least one strip disposed between said object holder and said stretchable sheet; and
- e) a duct, wherein said duct is defined by at least said object holder, said strip and said stretchable sheet,

wherein said at least one rail is mounted on said stretchable sheet thereby cooperating with at least the stretchable sheet and

the object holder to define the geometry of said duct, and

wherein said duct has a liquid inlet and a liquid outlet.

- 2) Amend claim 27 as follows:

Claim 27 (Currently amended) The device of Claim 26, ~~wherein the device~~
is operably connected to further comprising a means for delivering
a liquid to said duct, said means for delivering being selected from
a plunger mechanism and a pump.

- 3) Amend claim 33 as follows:

Claim 33 (Currently Amended) The device of Claim 26, ~~further~~
~~comprising~~ where said at least one strip comprises at least one
stretchable strip disposed between said object holder and said
stretchable sheet.

Allowable Subject Matter

2. In view of applicant's amendments and arguments, as well as the Examiner's
Amendment above, claims 26-33, now renumbered as claims 1-8, are allowed.

3. The following is an examiner's statement of reasons for allowance: the closest prior art of
record fails to disclose or teach a device for delivering a liquid to a target structure, comprising
an object holder thermostat, an object holder in contact with the thermostat, a stretchable sheet
between the object holder and a rail, at least one strip between the object holder and the
stretchable sheet, and a duct defined by the object holder and the stretchable sheet, wherein the
rail is mounted on the stretchable sheet and cooperates with the sheet and the object holder to
define the geometry of the duct, which duct has both a liquid inlet and outlet..

Claims 26-33, now renumbered as 1-8, are therefore novel and unobvious over the cited

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art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Claims 26-33, now renumbered as 1-8, are allowed.

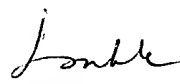
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kartic Padmanabhan whose telephone number is 571-272-0825. The examiner can normally be reached on M-F (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long Le can be reached on 571-272-0823. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Patent Examiner
Art Unit 1641




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11/29/04